

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA ALBERTO RODRIGUEZ,

Defendant.

Cause No. CR 14-96-GF-BMM

ORDER

On November 9, 2015, Defendant Rodriguez moved the Court to reduce his sentence to reflect the reduction of drug offenders' sentences under Amendment 782 to the United States Sentencing Guidelines. *See* U.S.S.G. App. C Supp. Amendments 782, 788 (eff. Nov. 1, 2014); 18 U.S.C. § 3582(c)(2). Rodriguez was sentenced on June 18, 2015, months after Amendment 782 went into effect. *See* Presentence Report ¶ 66; U.S.S.G. § 2D1.1(c) (eff. Nov. 1, 2014). Because he was sentenced with benefit of the amendment, his motion is frivolous.

Accordingly, IT IS HEREBY ORDERED that Rodriguez's motion to reduce his sentence (Doc. 804) is DENIED.

DATED this 16th day of November, 2015.

Brian M. Morris
Brian M. Morris
United States District Court